



~~CONFIDENTIAL~~

Saudi Arabia (yellow)

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ORIGIN: NO.:

CA - 10136, May 21, 1959

NEA
INFO SUBJECT:

Reply to Saudi Arabian Note Regarding Treaty with Muscat

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TO: ADEN, DHAHRAN, JIDDA, LONDON

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Reference: Jidda's despatch 223, April 25, 1959

The Department transmits herewith a suggested reply to the Saudi Arabian note of April 18, 1959, protesting certain language in the United States Treaty with the Sultanate of Muscat and Oman.

In the preparation of the proposed reply the proposals put forth by the Embassy in the referenced despatch have been most helpful and, in large measure, followed. Dhahran's telegram 600 of April 27 has also been useful.

With reference to the inquiry in Jidda's telegram 914, the Department notified the Saudi Arabian Ambassador in Washington on December 29, 1958, and subsequently sent to the Saudi Arabian Embassy here a copy of the Treaty. It was emphasized to the Ambassador at that time that the Treaty was a normal economic and consular agreement and had no political significance.

The Department considers that there is very little actual basis for challenging the use of the terminology in the Treaty. In the Buraimi Arbitration Agreement of July 30, 1954, which the Saudi Arabian Government signed, the second paragraph states that "His Highness Sultan Said bin Taimur has appointed the Government of the United Kingdom to conduct all negotiations and proceedings on his behalf for the settlement of the dispute in so far as it relates to territory in the Buraimi oasis claimed by him to belong to Muscat and Oman." In the 19th century the term "Muscat" and the term "Oman" were used almost interchangeably. Since the beginning of the 20th century, the term "Muscat and Oman" has been in general usage to designate the Sultan's realm. The Department does not believe, however, that it is necessary or appropriate for us to engage in an argument with the Saudi Arabian Government over the designation by another Ruler of his territories.

S/S-CR

The Embassy

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DRAFTED BY:

APPROVED BY:

NEA:NE:DDNewson:l:c:es 5/19/59

NE - Stuart W. Rockwell

CLEARANCES:

AE - Mr. Stein
NA - Mr. Swihart

L/NEA - Mr. Makos
UNP - Miss Brown

GE - Dr. Percy
(all in draft)

CPT - Mr. Sullivan
S/S - Mr. McElhiney

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The Embassy may, however, in presenting the reply to the Foreign Office, emphasize orally the statement in the note, that this terminology used has long been common and that the US did not intend¹⁴ concluding this Treaty to imply any change in the traditional position with respect to this area.

If, during the discussion at the time of the presentation of the note, the question should be raised concerning the US position with respect to the Ibadhi territories of Inner-Oman the Embassy may wish to make use of the US statement prepared at the time the Oman matter was before the Security Council in 1957. This statement is attached hereto.

It is hoped that the Embassy may also be able to make clear orally that, since the Treaty was not intended to have political significance, the US does not feel that a treaty signed with another sovereign should appropriately be the basis for a discussion of political problems not directly related to the treaty. The Saudi Arabian Government is familiar with the extensive discussions which have taken place in the past on the problems of Southeastern Arabia and with the continued willingness of the US to assist as it can in seeking resolution of these problems.

FYI - The memorandum on the Buraimi issue referred to by the Saudi Arabian note was not actually part of the communique, but was a separate paper initialed by the King and the President, which was not published. End FYI.

DILLON, ACTING

Enclosures:

1. Draft note
2. Statement by Ambassador Lodge

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Enclosure 1

DRAFT NOTE

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Kingdom of Saudi Arabia and has the honor to acknowledge the Ministry's note no. 70/7/1/19291 of April 18, 1959.

The Department of State of the United States has been informed of the substance of the Ministry's note and has taken note of the comments therein.

The United States Government desires to assure the Government of Saudi Arabia that the United States Government did not intend, by the conclusion of a normal economic and consular treaty with another friendly state, to imply any change in the well-known position which the United States has traditionally followed in connection with the various disputes in Southeastern Arabia.

The new Treaty was designed to replace a Treaty of 1833, long outmoded, and to place relations with the Sultan on a basis more consistent with modern commercial practices. The provisions are normal to treaties of this type and were made available to the Saudi Arabian Government very promptly after the conclusion of the Treaty. The terminology of the Treaty does not imply any change in US views concerning the Sultan's sovereignty or territorial control and should not be construed as having political significance.

The United States has recognized the sovereignty and independence of the Sultan and his predecessors since 1833 when treaty relations were first established. Muscat has been, throughout this long relationship, a term commonly used to refer to the city in which the Sultan makes his headquarters and Oman has long, by international usage, been generally applied both to the coasts of southeastern Arabia, and to the adjacent interior. The term "dependencies" which was also used in the 1833 Treaty was intended to apply to those territories of a special administrative character different from those adjacent to Muscat, such as, for example, Dhofar Province.

The Treaty of 1958 is, therefore, not intended to imply any recognition of boundaries or sovereignty in doubt or dispute within this general area or any position toward these disputes different from that which the United States has long followed. The Government of Saudi Arabia may be assured that it remains the earnest hope of the United States that the issues in this area may be settled to the satisfaction of and with justice to all countries concerned, all of which are friends of the United States. This hope was expressed in the meeting between His Majesty King Saud and President Eisenhower on September 8, 1957, referred to in the note of the Saudi Arabian Government, and remains the basis of the United States approach to these problems.

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Enclosure 2

**Statement by Ambassador Henry Cabot Lodge to
UN Security Council, August 16, 1957:**

I have listened closely to the various statements that have been made urging the adoption of the proposed agenda item. I have also listened closely to the statements of various members who feel that the proposed item should not be considered by the Council.

These statements and the other information available to us are not sufficient to justify the United States in committing itself for or against inscription at this time. The United States, accordingly, will abstain in the vote on the inscription of the item on the Council's agenda.

The facts with respect to developments in the area are complex and not entirely clear, and the applicable law, as well as the identity of the real parties in interest, is not free from doubt. However, I wish to make it entirely clear that the United States does not accept as valid the interpretation of the situation set forth in the letter which is the subject of the proposed agenda item, and which is framed in such terms as to constitute a prejudgment of the merits.

Now that the military conflict has subsided, the United States strongly hopes that advantage will be taken by all concerned of the relative calm that prevails in the area to settle by peaceful means any legitimate grievances that may be involved. We would hope that whatever difficulties may exist could be settled by negotiations among those interested. The United States also urges all governments to refrain from taking any actions that might hinder the maintenance of tranquility and order in the area.

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